

Applicant or Patentee: Gregory S. Hageman and Markus H. Keuhn

Application or Patent No.: 09/430,195

Filing Date: October 29, 1999



Title: THERAPEUTICS AND DIAGNOSTICS FOR OCULAR ABNORMALITIES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

The University of Iowa Research Foundation
214 Technology Innovation Center,
Oakdale Research Campus, Iowa City, Iowa 52319

TYPE OF NONPROFIT ORGANIZATION

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
 - (NAME OF STATE: Iowa)
 - (CITATION OF STATUTE: 504A)
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 - (NAME OF STATE _____)
 - (CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled:

THERAPEUTICS AND DIAGNOSTICS FOR OCULAR ABNORMALITIES

by inventor(s): Gregory S. Hageman and Markus H. Keuhn, described in Application No. 09/430,195 filed October 29, 1999.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

NAME: _____

ADDRESS: _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

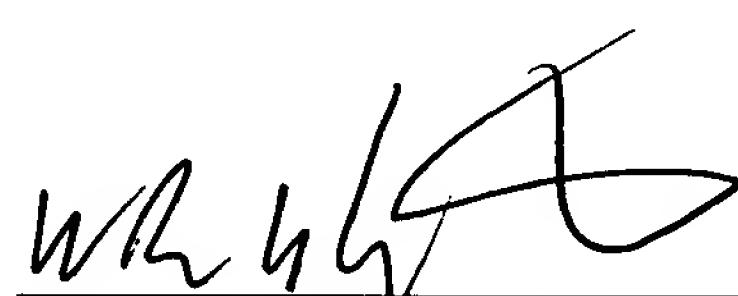
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

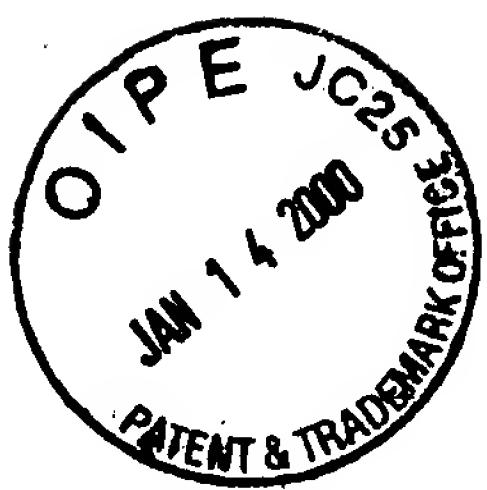
NAME OF PERSON SIGNING: W. Bruce Wheaton, Ph.D.

TITLE IN ORGANIZATION OF PERSON SIGNING: Executive Director & Secretary

ADDRESS OF PERSON SIGNING: The University of Iowa Research Foundation, Oakdale Research Campus, 214 Technology Innovation Center, Iowa City, Iowa 52319

Date: 1/5/00


Signature



Attorney's Docket Number: UIA-027.02

Declaration, Petition and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

THERAPEUTICS AND DIAGNOSTICS FOR OCULAR ABNORMALITIES

the specification of which was filed October 29, 1999, and assigned Serial No. 09/430,195, in the U.S. Patent and Trademark Office.

I do not know and do not believe that the subject matter of this application was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an issued inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one: no such applications have been filed.

such applications have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

| Country | Application Number | Date of Filing (month, day, year) | Priority Claimed Under 35 USC §119 |
|---------|--------------------|--------------------------------------|---------------------------------------|
| | | | - Yes No - |
| | | | - Yes No - |
| | | | - Yes No - |
| | | | - Yes No - |
| | | | - Yes No - |

(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

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CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 or §119(e) of any United States application(s) and/or provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier United States application, if any, described below, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States more than one year prior to said earlier application, that the said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months prior to said application and that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

09/183,972
(Application Serial No.)

10/29/98
(Filing Date)

Pending
(Status)
(patented, pending, aband.)

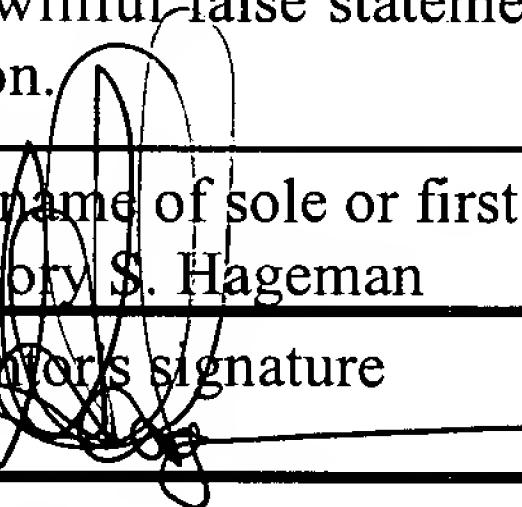
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| | | | |
|--------------------|------------------------|---------------------|-----------------|
| Dana Gordon | Reg. No. 44,719 | Charles H. Cella | Reg. No. 38,099 |
| Beth E. Arnold | Reg. No. 35,430 | Paula A. Campbell | Reg. No. 32,503 |
| Matthew P. Vincent | Reg. No. 36,709 | Edward J. Kelly | Reg. No. 38,936 |
| Isabelle M. Clauss | Reg. No.(See Attached) | Anita Varma | Reg. No. 43,221 |
| David Halstead | Reg. No. 44,735 | Chinh H. Pham | Reg. No. 39,329 |
| Kingsley L. Taft | Reg. No. 43,946 | Wolfgang E. Stutius | Reg. No. 40,256 |
| Jason Gish | Reg. No. 42,581 | Kirk Damman | Reg. No. 42,461 |
| | | Robert A. Mazzarese | Reg. No. 42,852 |

Send Correspondence to: Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, MA 02109

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|--|----------------|
| Full name of sole or first inventor Gregory S. Hageman | Date |
| Inventor's signature  | 4 January 2000 |
| Residence 500 Auburn Hills Drive, Coralville, Iowa 52241 | US |
| Citizenship | |
| Post Office Address (if different) | |
| Full name of second inventor Marcus H. Kuehn | Date |
| Inventor's signature  | 1/4/2000 |
| Residence 827 32 nd Avenue, Amana, Iowa 52203 | Germany |
| Citizenship | |
| Post Office Address (if different) | |